

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DANIEL TOSHNER, *et al.*,

Plaintiffs,

v.

JP MORGAN CHASE & CO, *et al.*,

Defendants.

Case No. C24-947-MLP

ORDER TO SHOW CAUSE

Plaintiffs Daniel Toshner, Responsible Billing LLC, and Roadside Response LLC (together, “Plaintiffs”) initially filed this action in King County Superior Court on or around January 25, 2024. (Dkt. # 1-1.) On June 28, 2024, Defendants JPMorgan Chase & Co and Chase Bank (together, “Defendants”) removed this action to federal court, where it was assigned to the undersigned U.S. Magistrate Judge. (Dkt. ## 1, 5.) On July 12, 2024, the Court’s clerk received notices that mail addressed to Plaintiffs’ address was returned as undeliverable. (Dkt. ## 9-11.) On July 23, 2024, counsel for Defendants filed a “Notice of Change of Address for Plaintiffs,” wherein Defendants’ counsel represented that Plaintiffs had moved to California and provided the Court with Plaintiffs’ updated address. (Dkt. # 14.) Plaintiffs have not filed anything since this action was removed to federal court.

1 Local Civil Rule (“LCR”) 10(f) requires a party to “file a notice with the court of any
2 change in address, telephone number or email address.” LCR 10(f). “Such notice must be
3 received by the Clerk’s Office within ten days of the change.” *Id.* Likewise, LCR 41(b)
4 specifically requires pro se parties to advise the Court of changes to their mailing and or email
5 addresses. LCR 41(b)(2). “If mail directed to a pro se plaintiff by the clerk is returned by the
6 Postal Service, . . . and if such plaintiff fails to notify the court . . . within 60 days thereafter of
7 his or her current mailing or email address, the court may dismiss the action without prejudice
8 for failure to prosecute.” *Id.*; see *Carey v. King*, 856 F.2d 1439, 1441 (9th Cir. 1988) (affirming
9 district court’s dismissal for failing to update address as required by LCR 41(b)(2).

10 To date, Plaintiffs have not filed any notice with the Court regarding their purported
11 change of address as required by LCR 10(f) and 41(b)(2).

12 Accordingly, Plaintiffs are ORDERED to file a notice of change of address listing their
13 current address by **August 16, 2024**. If Plaintiffs fail to update their address pursuant to LCR
14 41(b)(2), the Court will dismiss this action for failure to prosecute. The Clerk is directed to send
15 copies of this order to the parties.¹

16 Dated this 2nd day of August, 2024.

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19 MICHELLE L. PETERSON
20 United States Magistrate Judge

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23 ¹ With regard to Plaintiffs’ mailing address, the Clerk is directed to send copies of this order to both
Plaintiffs’ address on file and the address submitted in Defendants’ Notice of Change of Address (dkt.
14).